

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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GARY KOPY,

Plaintiff,

vs

9:07-CV-417

GARY HOWARD, Sheriff, Tioga County Jail,

Defendant.  
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APPEARANCES:

GARY KOPY  
07-B-877  
Gouverneur Correctional Facility  
Scotch Settlement Road  
PO Box 4880  
Gouverneur, NY 13642

FRANK W. MILLER, ESQ.  
Attorney for Defendant  
6575 Kirkville Road  
East Syracuse, NY 13057

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff, Gary Kopy, commenced this civil rights action in April 2007, pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated August 11, 2010, the Honorable Randolph F. Treece, United States Magistrate Judge, recommended that defendant's motion for summary judgment (Docket No. 46 & 49) be granted, and the amended complaint be dismissed in its entirety. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the file, and the recommendations of Magistrate Judge Treece, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

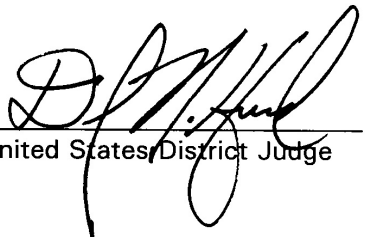
1. Defendant's motion for summary judgment (Docket Nos. 46 and 49) is  
GRANTED;

2. The amended complaint is DISMISSED in its entirety; and

3. The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: September 21, 2010  
Utica, New York.

  
United States District Judge